

ELECTRICAL ADVISORY COMMITTEE MEETING
July 20, 2004

Office of Housing, Buildings & Construction
Electrical Section
101 Sea Hero Road, Suite 100
Frankfort KY 40601-5405

MEMBERS PRESENT

Mr. Jan Howard
Ms. Mary A. Malone
Mr. Don Shelton
Mr. Gary Osborne
Mr. Jerry Shouse

MEMBERS ABSENT

Mr. James Michael Archer
Mr. Norman Gene Holthouser
Mr. Chris Pace.
Mr. Michael T. Leake
Mr. Jonathan Jay Moore

OFFICE OF HOUSING STAFF PRESENT

Mr. Van Cook, Executive Director
Mr. Tommy Barns, Assistant Executive Director
Mr. Albert S. Mitchell, State Fire Marshal
Mr. Frank Dempsey, General Counsel
Mr. Mike Bennett, Staff Attorney
Mr. Billy Perkins, Chief Electrical Inspector
Ms. Robin McQueary, Secretary Electrical Section

VISITORS PRESENT

Mr. James Bax – ICC
Mr. Gary Bush – Logan County Electrical Inspector
Mr. Michael Moore
Mr. John Forsytt – East Ky Association of Electricians
Mr. Mel Trivett, Electrical Inspector, Franklin County Electrical
Mr. Scott Pulliam – IBEW 369
Brian Vancenburg – IBEW 369
Mr. Randy Witty, M & L Technical
Mr. Robert Matthews, Electrical Inspector, City of Franklin

MEETING CALLED TO ORDER

James Archer is not present so James Strange will chair the meeting.

Donald Shelton made a motion to call the meeting to order at 9:05 a.m. Jerry Shouse seconded the motion. All in favor. Motion carried and meeting was called to order at 9:05 a.m.

APPROVAL OF MINUTES

Jan Howard made motion to approve June 29, 2004 minutes. Jerry Shouse seconded. All in favor. Motion carried to approve the June 29, 2004 minutes.

EXECUTIVE DIRECTOR & LEGAL COUNSEL

Mr. Van Cook stated that at the June 29, 2004 we talked with Century Aluminum and Frank Demsey wrote a letter for clarification of what is maintenance and what is not maintenance regarding the manufacturing companies. The letter is on our website.

ICC- James Bax, Jr.

Jim Bax, Jr. introduced himself and explained that their company does all kinds of testing, sprinkler, plumbing and electrical. They do Ohio's testing for their electrical licensing. They do pen and paper exams and also computer exams. The mission is promoting professionalism in the construction industry. Texas uses ICC for their testing in licensing over 700 sites. ICC also does testing for Alabama, Indiana, Arkansas, Georgia, Kansas, Nevada, Ohio, Colorado, Mississippi, and a few other states. ICC works with the states to come up with an exam. ICC would show the Advisory Board the exam and make sure they are comfortable with it, the test is job relevant. Ohio would like reciprocity with the state of Kentucky. High Stakes examination is a big word for high security. ICC has video cameras at every testing site. Gary Osborne asked if it was just a contractor's exam and Mr. Bax explained it is a master's and electrician's exam also. Mr. Bax also explained that they do have low voltage exams. Mr. Bax explained that they will set up the exams the way the state of Kentucky wants them to. The test can be taken on PC but not on the internet you have to come into a test center and show ID. Mr. Van Cook said that we will have a test station here in this building at a very secure site. After they take the exam on the computer they will get their results immediately it will just tell them whether they pass or fail. If they fail they will get a letter in the mail telling them how they did on each category. ICC will send us a letter telling us who passed. ICC will work with the Board on the exam and he wants the board to feel comfortable with the exam. Mr. Bax does have a bigger presentation that can be seen by anybody. Mr. Bax is here just to give a general idea of his program. Mr. Van Cook stated that all our Boards are looking at ICC for their testing. Mr. Bax stated the cost is around \$70.00. Mr. Van Cook explained that most of our other codes like building codes and plumbing are through ICC. Mr. Bax will be coming back at the next board meeting. Mr. Van Cook stated that the board still has to approve the questions and the percentage for a passing score. We would like the office to go with ICC. Mr. Cook asked the Board to e-mail him with any questions or things you would like Mr. Bax to bring to the next board meeting. Gary Osborne asked Mr. Bax to bring some sample tests for the next board meeting in August. They have testing sites all over the state. Mary Malone asked if they could go to Cincinnati and take the Kentucky test. Mr. Bax said yes they could. James Strange asked that he bring a copy of tests, structure and locations of tests.

Donald Shelton made a motion for ICC Mr. Jim Bax to come back to the August 17, 2004 Advisory Board meeting and bring sample tests. Gary Osborne seconded. All in favor. Motion carried for Mr. Bax to come back to the next meeting and bring sample tests.

LOW VOLTAGE

Frank Dempsey said the low voltage is in effect and we are getting calls. The low voltage certification can be issued now. They can take the test through Experior. In the regulation for low voltage the test provider is Experior. We can change the test providers on the regulation. James Strange stated that we should not mention in the regulation the identity of the testing entity.

TRAINING PROVIDERS

Frank Dempsey is getting questions on who is a training provider for our license after grandfathering. We don't have any applications for training providers for licensing. We need to file the standards and the providers. They need to come before the board and get approved. Our office will work on the requirements and a application for educational training providers.

Billy Perkins received an e-mail from Todd Scoto asking if Decker College was a training provider and would be accepted. Frank Dempsey explained we cannot really say that because the Board has not approved any training providers. Frank Dempsey told everyone they need to get their training providers approved through the Board. With regard to Decker they are not getting enough classroom hours or on-the-job training hours. They have to have 144 classroom hours a year for a total of 576 hours with 2,000 hours a year for a total of 8,000 hours. The providers have to be registered programs. Gary Osborne asked if we could put license requirement on the website. Mike Bennett said they are on the website.

Mike Bennett explained that Charlene is working on the website and constantly updating it and removing the grandfathering, but if you have any suggestions e-mail me. Gary Osborne asked if the training providers are able to put the CEU's on the computer yet. Robin McQueary explained she had talked with Charlene and that it is still in the testing mode. Mary Malone asked if low voltage was out on the website. Mike Bennett said yes it is on the website.

Mr. Van Cook explained that we have 6,000 applications that have something little missing from their files and he has extended the deadline for 10 working days until July 29, 2004 to let them complete their files. They have to have an application on file and most of the information in their file.

Mr. Van Cook said we are hiring someone to work on the website and this person has the expertise on creating websites, if anyone has any suggestions let him know.

Mike Bennett explained about reciprocity with Kentucky and we are on a standing agreement with Ohio. The state of Ohio requires 5 years experience and 10 hours continuing education hours I have been working with Carol Ross. Mike Bennett is still working on getting reciprocity with the joining states. Gary Osborne stated that if they will not recognize ours we will not recognize theirs.

Al Mitchell gave an update on licensing: 29,625 licenses filed, 18,663 printed, 1,756 printed today. On July 15, 2004 there was 156 lobby customers. We have 6,000 we do not have all the information in the file. Mr. Van Cook stated that the employees worked very hard and tried to help everyone that came in.

GARY BUSH

Gary Bush asked if he was inspecting a job and a person still has a pending license is he still suppose to check. Mr. Al Mitchell said yes until July 29, 2004 and everyone should be active or they do not have a license.

Billy Perkins explained that Mr. Bush is coming before the Board on Pennyrile Rural Electric who does not require inspection on a temporary service and a complaint on Marion Stratton Electric and also an inspector Terrill Snodgrass.

Pennyrile Rural Electric Co-Op

Mr. Bush explained that a temporary service is not inspected until a rough-in is done which is 1 month to 7 months after a temporary service is issued. There are several violations when you do the rough-in. Frank Dempsey stated that Pennyrile thinks they fall under the utility exception. He also explained that he has sent several letters and they do not reply. Billy Perkins also explained that Mr. Bush is complaining about another inspector Terrill Snodgrass who does not inspect temporary service. Billy Perkins sent Jim Thomas out on July 10, 2004 and you have a copy of his recommendations. Mr. Bush stated that electricians will call Mr. Snodgrass instead of him when he goes and does the rough-in and he finds something wrong and then they call Mr. Snodgrass and he does a certificate of compliance. Gary Osborne stated that at one of the earlier board meeting we had said that if a utility company owns the pole and it is on their property they do not need an inspection but if it is not on their property and maintained by them then it has to be inspected. Frank Dempsey said that they are except from the licensing requirement but they still have to have a licensed person put the temporary pole up if it is used for utilization not transmission. The utility exception from the licensing requirement is based on people working on transmission equipment on their property the distinction the board made was temporary service were generally not on property owned by the utility and is on a the right-of-way and is not really for transmission, it is for utilization. Gary Osborne asked that if a contractor goes out and installs a temporary service and does not get the proper permits and does not get an inspection is their license liable. Not every county requires permits.

Mr. Van Cook said that we would pursue it legally. Billy Perkins read Jim Thomas report "On July 8, 2004, Mr. Woosley and I also met with the District Manager of Pennyrile Rural Electric Cooperative, Mr. Mark Wilkins, I had several questions for Mr. Wilkins, about the policies of the Pennyrile RECC. First question was did he know the Health Department release number was missing from the certificate of compliance for the home of David Thomas. His response was he did not know it was missing from that certificate, but it was not the responsibility of the utility company to make sure the Health Department release number was/or is on the certificate of compliance. Mr. Wilkins said it was the responsibility of the electrical inspector. The second question I had for Mr. Wilkins was, did the utility company hook-up temporary services without

a electrical inspection? Mr. Wilkins response was, Yes the utility company did hook-up temporary services without electrical inspections. Mr. Wilkins informed me that if it was the Commonwealth policy for temporary services to be inspected. The Commonwealth/State of Ky should provide in writing the policy to the Pennyrile Electric Cooperative, and the utility company, would look into making changed to its policies.” Mr. Van Cook said we will write a letter and would make carbon copies to the Public Service Commission and the Attorney General. Mr. Cook will have Frank Dempsey make a recommendation for the next meeting. Mr. Van Cook said in the mean time we will do a threatening letter and carbon copy the proper authorities.

Gary Osborne made a Motion to send a letter to the utility company telling them they are in violation of the statute in the state of Kentucky and that we require electrical inspections on temporary service. Jan Howard seconded motion. All in favor. Motion carried.

Mr. Van Cook said the next meeting we will talk about changing the regulation.

The next issued Mr. Bush has is a complaint against Marion Construction. Mr. Perkins sent a letter to Marion Construction on December 17, 2003 and asked for a response by January 1, 2004 they never responded. Frank Dempsey said that based on the information we received we would not issue them a license. If he continues to operate as an electrician without a license then we will file a complaint with the County Attorney and take criminal action.

Mr. Bush’s next issue is Mr. Terrill Snodgrass. Billy Perkins stated that he sent a letter informing him of the guidelines he is suppose to abide by. Mr. Bush stated Mr. Snodgrass was going behind him and passing inspections when he had rejected them. Mr. Snodgrass has not gotten health department releases the whole three years he has been inspecting.

Gary Osborne made a motion for a break. Jan Howard seconded motion. All in favor. Motion carried break at 10:35. Returned at 10:47

Gary Osborne made a Motion to bring Mr. Terrill Snodgrass before the next board for a possible reprimand. Jan Howard seconded the motion. All in favor. Motion carried.

Mary Malone suggested he also needs to bring with him certificate of compliance number C-351830.

Mr. Bush asked what is the criteria for an inspection. Frank Dempsey stated it is installation or renovation and if an electrician does not ask for an inspection then we will take action against their license.

LESLIE GROVES

Leslie Groves is asking for his license to become effective July 1, 2004 instead of June 1, 2003. Al Mitchell said we have to follow the guidelines.

Gary Osborne made a Motion to deny his request. Jan Howard seconded. All in favor. Motion carried his appeal was denied.

KCTCS

Jan Howard talked with a few members of KCTCS and found out they operate independently. James Strange recommendation is that the board look at each provider with KCTCS as they apply.

Jan Howard made a Motion to look at each educational facility on an individual basis. Gary Osborne seconded. All in favor. Motion carried

Robin McQueary will go back and pull all those KCTCS that was put on hold and the board will look at them again.

CONTINUING EDUCATION PROVIDERS

1. Scioto County

No one is here representing Scioto County. Scioto is requesting a contractor's continuing education provider. They have not sent enough information.

Gary Osborne made a motion to reject for contractor's continuing education provider not enough information, no structure and has nothing to do with electrical contractor. Donald Shelton seconded. All in favor. Motion carried to reject Scioto County for Contractor's Continuing Education Provider.

2. Ricky T. Emerson

No one is here representing Ricky T. Emerson. He does not mention where the facility is or how many hours or CEU's. Not enough information.

Donald Shelton made a Motion to deny due to lack of information. Gary Osborne seconded. All in favor. Motion carried to reject Ricky T. Emerson as Contractors Continuing Education Provider.

3. Michael Moore

Michael Morris is present. He is requesting to be approved for Continuing Education Provider for master electrician and electrician.

Gary Osborne made a motion to approve Michael Moore. Jerry Shouse seconded. All in favor. Motion carried to approve Michael Moore for Master Electrician and Electrician Continuing Education Provider.

4. East Ky Association of Electricians

John Foyste is here representing East Ky Association of Electricians. They are requesting to be approved for Continuing Education Provider for contractors.

Gary Osborne made a motion to approve East Ky Association of Electricians for Contractor Continuing Education Provider. Jerry Shouse seconded. All in favor. Motion carried to approve East Ky Association of Electricians for Contractors Continuing Education Provider.

5. Richard Beagle

Richard Beagle is here representing himself. He is requesting to be approved as a Continuing Education Provider for Master Electricians and Electricians.

Gary Osborne made a motion to approve Richard Beagle as a Master Electrician and Electrician Continuing Education Provider. Jan Howard seconded. All in favor. Motion carried to approve Richard Beagle as a Master Electrician and Electrician Continuing Education Provider.

6. James Dossett

James Dossett is here representing himself. He is requesting to be approved as a Continuing Education Provider for Master Electricians and Electricians.

Gary Osborne made a motion to approve James Dossett as a Master Electrician and Electrician Continuing Education Provider. Jan Howard seconded. Motion carried to approve James Dossett as a Master Electrician and Electrician Continuing Education Provider.

Jan Howard asked Mr. Dossett to submit a resume for the file.

7. Gene Conley & Scott Smalley

No one is representing Gene Conley or Scott Smalley. They are requesting to be approved as a Continuing Education Provider for Contractor.

Donald Sheldon made a motion to deny their application for Contractor Continuing Education Provider due to lack of information. Gary Osborne seconded. All in favor. Motion carried to deny Gene Conley and Scott Smalley as a Contractor Continuing Education Provider due to lack of information.

8. Dann Strube

No one is representing Dann Strube. Mr. Strube is requesting to be approved for Continuing Education for 2-hour safety class for the Contractors.

Jan Howard made a motion to deny Dann Strube as a Contractor Continuing Education Provider due to the fact he is not providing all 6 hours of training. Gary Osborne seconded. All in favor. Motion carried to deny Dann Strube as a Contractor Continuing Education Provider due to the fact he is not providing all 6 hours of training.

ELECTRICAL INSPECTOR REVIEW

1. Richard Spillman

No one is representing Richard Spillman. Mr. Spillman is requesting to be approved for a 2A electrical inspector.

Donald Shelton made a motion to deny Richard Spillman's request due to lack of documentation and need additional references. Gary Osborne seconded. All in favor. Motion carried to deny Richard Spillman's request due to lack of documentation and he needs additional references.

2. Michael L. Shannon

No one is representing Michael Shannon. Michael Shannon is requesting to be approved for a 2B electrical inspector. Ken Leathers one of our employees recommends Mr. Shannon.

Gary Osborne made a motion to approve Michael Shannon as a 2B electrical inspector. Jan Howard seconded. All in favor. Motion carried to approve Michael Shannon as a 2B electrical inspector.

OTHER BUSINESS

1. Electrical Inspectors who have Inactive Electrical License

Frank Dempsey at the August 17, 2004 meeting will have a draft of a regulation regarding inactive electrical licenses of municipalities.

Robin McQueary announced that the September meeting will have to be changed and for the board to think about an alternate date.

Mary Malone wanted to bring something before the board. She has an electrical furnace breaker in the unit that the code says it has to be up if it is vertical. So if this unit is laid horizontal it is a code violation. Mary would not approve it because the breaker was in the down position. What ended up happening HVAC came and looked at the unit to make sure from the HVAC standpoint it was installed correctly according to the manufacturer. The installation instructions states it has to meet NEC when it is installed and if you install it one way it is and if you install it the other way it is not. The violation occurs on the way that you install it. According to HVAC and the manufacturer it can be installed either way. Mary asked the HVAC contractor if this unit came with an external breaker and the contractor said yes and put an external breaker on the unit. You can list these things and it is not a code violation but once you install it, it is a code violation. The manufacturers recommendation say that it needs to be installed to meet the electrical code. Frank Dempsey stated that the electrical code states the local inspector has jurisdiction to approve or reject. He said you tell them it is not according to code and reject it.

Gary Osborne made a motion to adjourn. Jerry Shouse seconded. Motion carried and meeting was adjourned at 12:15 p.m. The next meeting will be August 17, 2004 at 9:00 a.m.